

2853
EPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68137

Kenji TSUKADA, et al.

Appln. No.: 10/031,408

Group Art Unit: 2853

Confirmation No.: 2132

Examiner: Leonard S. Liang

Filed: January 18, 2002

For: INK CONSUMPTION DETECTING METHOD, AND INK JET RECORDING
APPARATUS

RESPONSE TO ELECTION OF SPECIES AND REQUEST FOR INITIAL PTO 1449 FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 27, 2005, in which the Examiner has required an election of species, Applicant responds by electing **Species III** without traverse. Applicant submits that claims 1, 4, 8-11, 22, 23, 25-28, 31-50, 52-56, 62 and 68-70 read on the elected species. Applicant reserves the right to file a divisional application directed to any of the non-elected claims.

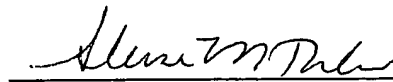
In addition, the Examiner returned three PTO 1449 forms with the January 27, 2005 Office Action. However, the Examiner has only initialed one reference of all the references cited on the respective forms. Accordingly, Applicant is providing the PTO 1449 forms, which were returned by the Examiner, and respectfully requests the Examiner to initial all references thereon. If the Examiner does not believe that a respective IDS complies with MPEP §609, then

Response to Election of Species Requirement
U.S. Application No. 10/031,408

Applicant respectfully requests the Examiner to state his reasons in the next Office Action so that the Applicant can properly respond.

Prompt and favorable action on the elected claims are now respectfully requested.

Respectfully submitted,



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Registration No. 48,294

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 28, 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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Confirmation Number	2132
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First Named Inventor	Kenji TSUKADA
Art Unit	2853
Examiner Name	Leonard S. Liang
Attorney Docket Number	Q68137

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Examiner Signature

Date Considered

01/21/05

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.

Substitute for Form 1449 A & B/PTO

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Attorney Docket Number	Q68137

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 3,394,589		7/30/1968	Genichiro Tomioka
		US			
		US			
		US			
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		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁴
		Country Code ³	Number ⁴	Kind Code ³ (if known)			
LSL	—	JP	7-137291	—	5/30/1995	—	—

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁴

Examiner Signature

Leonard Liang

Date Considered

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		US			
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		Country Code ²	Number ³	Kind Code ² (if known)			
—	—	EP	0 881 079	A2	12/2/1998	—	—
—	—	EP	0 881 079	A3	7/7/1999	—	—

NON PATENT LITERATURE DOCUMENTS

Examiner Initials ^a	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁴

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